

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Ulrik Darling Larsen et al.

Attorney Docket No. ALB.018

Serial No.: 10/517,383

Examiner: Unknown

Filed: December 10, 2004

Art Unit No.: Unknown

For: LYSING REAGENT, CARTRIDGE AND AUTOMATIC ELECTRONIC
CELL COUNTER FOR SIMULTANEOUS ENUMERATION OF ...

LETTER OF RELATED APPLICATIONS

U.S. Patent and Trademark and Trademark Office
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Alexandria, VA 22314

Date: February 16, 2005

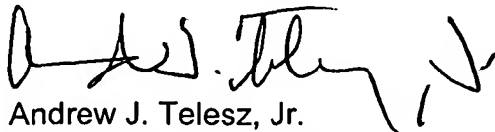
Sir:

The Examiner is hereby advised of co-pending U.S. Applications Serial Nos. 10/517,385 and 10/517,382. The subject matter contained in these co-pending U.S. Applications Serial Nos. 10/517,385 and 10/517,382 is related to the present application and thus may be material to the prosecution of this instant application.

These applications are not to be construed as prior art. By bringing these applications to the attention of the Examiner, Applicants do NOT waive the confidentiality provisions of 35 U.S.C. 122.

Respectfully submitted,

VOLENTINE FRANCOS & WHITT, P.L.L.C.



Andrew J. Telesz, Jr.
Registration No. 33,581

One Freedom Square
11951 Freedom Drive, Suite 1260
Reston, Virginia 20190
Tel. (571) 283-0720
Fax. (571) 283-0740

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
ALB.018

In Re Application Of: Ulrik Darling Larsen et al.

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/517,393	December 10, 2004	Rebecca Fritchman Unknown		4112 Unknown	Unknown

Title: LYSING REAGENT, CARTRIDGE AND AUTOMATIC ELECTRONIC CELL COUNTER FOR
SIMULTANEOUS ENUMERATION OF DIFFERENT TYPES OF WHITE BLOOD CELLS

Address to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☒ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits; or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☐ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:
- ☐ the statement specified in 37 CFR 1.97(e);
- OR
- ☐ the fee set forth in 37 CFR 1.17(p).

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
ALB.018

In Re Application: **Ulrik Darling Larsen et al.**

Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/517,383	December 10, 2004	Rebecca Fritchman Unknown		4112 Unknown	Unknown

Title: **LYSING REAGENT, CARTRIDGE AND AUTOMATIC ELECTRONIC CELL COUNTER FOR
SIMULTANEOUS ENUMERATION OF DIFFERENT TYPES OF WHITE BLOOD CELLS**

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(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

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Dated: February 16, 2005

VOLETINE FRANCOS & WHITT, P.L.L.C.
ONE FREEDOM SQUARE
11951 FREEDOM DRIVE, SUITE 1260
RESTON, VA 20190
TEL. NO. (571) 283-0720

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1

of 4

Complete if Known

Application Number	10/517,383
Filing Date	December 10, 2004
First Named Inventor	Ulrik Darling Larsen
Art Unit	Unknown 4112
Examiner Name	Unknown Rebecca Fritchman
Attorney Docket Number	ALB.018

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
R.F.J. ↓		US- 2,656,508	10-20-1953	Coulter	
		US- 3,122,431	02-25-1964	Coulter et al.	
		US- 3,395,343	07-30-1968	Morgan et al.	
		US- 3,549,994	12-22-1970	Rothermel et al.	
		US- 3,902,115	08-26-1975	Hogg et al.	
		US- 3,958,177	05-18-1976	Reeves et al.	
		US- 4,014,611	03-29-1977	Simpson et al.	
		US- 4,346,018	08-24-1982	Carter et al.	
		US- 4,485,175	11-27-1984	Ledis et al.	
		US- 4,521,129	06-04-1985	Kiesewetter et al.	
		US- 4,528,274	07-09-1985	Carter et al.	
		US- 4,600,880	07-15-1986	Doutre et al.	
		US- 4,607,526	08-26-1986	Bachenheimer et al.	
		US- 4,706,207	11-10-1987	Hennessy et al.	
		US- 4,738,827	04-19-1988	Pierotti	
		US- 4,745,071	05-17-1988	Lapicola et al.	
		US- 4,751,179	06-14-1988	Ledis et al.	
		US- 4,760,328	07-26-1988	Groves	
		US- 4,835,457	05-30-1989	Hanss, et al.	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)			
R.F.J. ↓		WO 93/01306	01-21-1993		
		WO 97/24600	07-10-1997		
		WO 98/50777	11-12-1998		
		WO 98/54568	03-12-1998		
		WO 99/01742	01-14-1999		
		WO 99/49310	09-30-1999		

Examiner Signature	Rebecca Fritchman	Date Considered	08/11/2006
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Sheet **2** of **4****Complete if Known**

Application Number	10/517,383
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First Named Inventor	Ulrik Darling Larsen
Art Unit	Unknown 4112
Examiner Name	Unknown Rebecca Fritchman
Attorney Docket Number	ALB.018

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		Number-Kind Code ² (if known)			
/R.F./ ↓		US- 4,962,038	10-09-1990	Carter et al.	
		US- 5,198,749	03-30-1993	Guthrie et al.	
		US- 5,231,005	07-27-1993	Russell et al.	
		US- 5,241,262	08-31-1993	Guthrie et al.	
		US- 5,316,951	05-31-1994	Carver, Jr. et al.	
		US- 5,348,859	09-20-1994	Brunhouse et al.	
		US- 5,500,992	03-26-1996	Barnes et al.	
		US- 5,501,982	03-26-1996	Saldivar, Jr. et al.	
		US- 5,716,852	02-10-1998	Yager et al.	
		US- 5,731,206	03-24-1998	Ledis et al.	
		US- 5,763,280	06-09-1998	Li et al.	
		US- 5,804,022	09-08-1998	Kaltenbach et al.	
		US- 5,834,315	11-10-1998	Riesgo et al.	
		US- 5,840,515	11-24-1998	Provost	
		US- 5,911,871	06-15-1999	Preiss et al.	
		US- 5,979,251	11-09-1999	James et al.	
		US- 6,230,896 B1	05-15-2001	Lambert	
		US- 6,319,209 B1	11-20-2001	Kriz	
		US- 6,387,328 B1	05-14-2002	Berndtsson	

FOREIGN PATENT DOCUMENTS

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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
/R.F./ ↓		WO 00/07254	02-10-2000			
		WO 01/11338 A1	02-15-2001			
		WO 01/69292 A2	09-20-2001			
		WO 02/089670 A1	11-14-2002			
		EP 0 549 414 A1	12-15-1992			
		EP 0 844 475 A2	11-20-1997			

Examiner
Signature

/Rebecca Fritchman/

Date
Considered

08/11/2008

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Attorney Docket Number	ALB.018

Sheet	3	of	4
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U. S. PATENT DOCUMENTS

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		Country Code ³ ~Number ⁴ ~Kind Code ⁵ (if known)				
7R.F./		EP 1 182 457 A1	08-17-2000			
V		GB 2 232 769 A	12-19-1990			
		GR 1 002 424	08-30-1996			

Examiner Signature	/Rebecca Fritchman/	Date Considered	08/11/2008
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		Examiner Name	Unknown Rebecca Fritchman
Sheet 4	of 4	Attorney Docket Number ALB.018	

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
/R.F./		VOLKER KACHEL, "Electrical Resistance Pulse Sizing: Coulter-Sizing", Flow Cytometry and Sorting, pp. 45-80, 2nd ed., 1990 Wiley-Liss Inc.	
↓		Ed. M.M. WINTROBE et al., "Clinical Hematology", pp.3-9, 1981, 8th ed., Lea & Febiger, Philadelphia, USA.	
		M. MADOU, "Fundamenetals of Microfabrication", pp. 29-32, 66-70, 145, and 163-164, CRC Press LLC, 1997, ISBN 0-8493-9451-1.	
		STEVENS, "Fundamentals of Clinical Hematology", pp. 6-7, and 301-304, W.B. Saunders Company, ISBN 0-7216-4177-6, Philadelphia, USA	
		A.Y. FU et al., "A Microfabricated fluorecence-activated cell sorter", Nature Biotechnology, Vol. 17, November 1999, pp. 1109-1111.	
↓		B.K. GALE et al., Micromachined Electrical Field-Flow Fractionation (u-EFFF) System:, Proceedings of the IEEE Annual International Workshop; pp. 119-124; January 1997.	

Examiner Signature	/Rebecca Fritchman/	Date Considered	08/11/2008
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